

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 4:07CR140-P-B**

**JOSE SANTOS GONZALES AND  
TARRASCO STEEL COMPANY, INC.,**

**DEFENDANTS.**

**ORDER CONTINUING TRIAL**

This matter comes before the court upon Defendants' fifth motion for continuance [68]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for March 3, 2008. Defense counsel avers that he and the Government's counsel both have trials set immediately preceding the present trial date and that additional time would allow him to better prepare for trial in this case and to engage in plea negotiations.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from March 3, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendants' counsel more time to adequately prepare for his clients' defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

(1) Defendants' Motion for Continuance [68] is **GRANTED**;

(2) Trial of this matter is continued as to both defendants until Monday, April 28, 2008 at

9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from March 3, 2008 to April 28, 2008 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is April 7, 2008; and

(5) The deadline for submitting a plea agreement is April 14, 2008.

**SO ORDERED** this the 12<sup>th</sup> day of February, A.D., 2008.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE